

**Council Open Business – minutes 1 to 12 inclusive.**

**1. Attendance and Apologies**

Present: John Graystone (in the Chair), Toni Schiavone (Vice Chair), Caroline Davies, Gareth Cork, Stephen Nicholls, Suzanne Samuel, Chris Franks, Jenni Jones-Annetts, Daryl Leeworthy, David Elis-Williams, Cathy Clark, Julie Cook, Tim Palazon; via Bangor video link - Dafydd Rhys, Iwan Hywel, Salamatu Fada (to minute 7 only). The meeting was quorate throughout.

In Attendance: Kathryn Robson (Chief Executive), Cath Hicks (Head of Learner Services & Resources), Mark Baines (Head of Curriculum & Performance), Stephen Thomas (Company Secretary/Clerk), Jan Tiley (observer: JCNC representative); via Bangor video link - Siôn Aled Owen (simultaneous interpreter).

Apologies: Sonia Reynolds (Vice Chair), Guy Wallace Smith.

**2. Welcome, Introductions and Technological Matters**

Introductions were made all round, and welcomes extended in particular to Salamatu Fada at her first Council meeting, and to Jan Tiley as the Joint Consultative and Negotiating Committee's (JCNC) staff side observer. The anticipated simultaneous interpretation feed at the two venues via Skype link presented problems of both audibility and feedback, and was therefore abandoned at an early stage of proceedings.

**3. Minutes of Open Business at the Council meeting of 26 November 2019 and matters arising**

The minutes of the Open Business proceedings of the previous Council meeting held at Stryt y Brenin, Wrexham were approved as a correct record, subject to an amendment to the penultimate paragraph of minute 3, on the Business Development Strategy. The third sentence there should be deleted and replaced with:

*'David Elis-Williams said that there was something rather inevitable in Option BD1 – increasing new learners on existing fee paying programmes – coming top on the criteria utilised, as AOC|ALW was both a good fit with and responsive to the Welsh Government's priorities. But the Organisation remained free to choose its own priorities.'*

Three matters in the minutes were discussed further. In answer to a question, more detailed discussion on the Business Development Strategy had occurred at December's Resources Committee. Further opportunities to consider its implications in terms of costings would come later in the meeting [see minute 8ii)] and at subsequent Resources Committee and Council gatherings, where more comparative analyses of its potential expenditure implications would be presented.

Regarding minute 7, it had been agreed by all parties involved that it was most advisable to await approval of any constitutional changes at the AGM before opening nominations for the vacant Council member's seat for North East Wales.

On the action point in minute 11, for Council members to take an on-line training module and assessment exercise on the *Prevent* programme, six had so far done so and it was asked that the remainder complete it by the end of February. This elicited a lively discussion, with certain members refusing to do the training on a matter of conscience because *Prevent* was a controversial UK governmental programme (criticised by some of the Organisation's own experienced teaching staff), which had contemplated adding Extinction Rebellion to its list of questionable bodies, although this suggestion was later removed. Furthermore the training module was not available in Welsh. Others acknowledged that, while they were sceptical of *Prevent's* content and intent, or thought the specific module on offer was unstimulating, they were willing to undertake the training to comply with Estyn's inspection requirement and assist their understanding of what was requested of staff from it. It was reported that AOC|ALW was producing bilingual materials on this for its learners/staff and for possible wider dissemination through the *Hwb* portal. **It was agreed that the lack of opportunity to undertake the Education and Training Foundation's course in a language other than English was a failing which should be fed back to it; and that the broader issue of mono-lingualism in Prevent materials in the FE sector in Wales should be raised with ColegauCymru.**

#### 4. Chief Executive's Report, January 2020

Kathryn Robson spoke of positive curricular developments: a further rise of 1% in learners' success rates for 2018/19 following final data analysis, part of a more general positive trend over recent years given that the Organisation had moved from 60% non-accredited to 20% non-accredited output. Learners' data so far for 2019/20 were good, though longer courses would ultimately bring the cumulative figures down. She referred the Council to the attached Estyn Action Plan, where all actions had been implemented in time for the likely desktop return exercise by inspectors in 2020. As for the social media report in Appendix 1, posts trended more strongly when the message was English language only, or in English before Welsh: this could lead to reconsideration of our Welsh language policy on social media.

The attached letter sent to the Minister a fortnight earlier about Adult Community Learning restructuring reflected a move approved by the Senior Leadership Team, now that three key civil servants had moved on from their further education roles: the possibility that the 'right to lifelong learning' was being linked inexorably with the PCET reforms that were due could not however be discounted. Delays in implementing change could be foreseen with Senedd elections due in May 2021, and it was therefore of importance to influence parties' manifestos on this matter. ColegauCymru was preparing its own manifesto which referred to the right to lifelong learning: there was still a case for AOC|ALW to do something in its own name though, which could also highlight youth work/services, especially with the voting age coming down to 16. There was positive feedback from all those who had first-hand experience of the *Say Something in Welsh* course; and (from the Curriculum Update attachment) a request that an approach be made to Tesco for it to publicise the Sign Language course being run for its staff in Maesteg. It was agreed that a message of support from the Council should go to James Fleming (Quality Manager) who was on long-term leave; and the resignation had been received that morning of Karen Fisher, Regional Learning Manager for the South West and Mid Wales Region.

There was discussion of the S4C programme *Waliau'n Siarad* on Coleg Harlech, which had featured a learner of ours at Caerphilly (historian Dr Elin Jones): it had not been too judgmental of our role in the building's decline. Youth and playwork, and the bid to get AOC|ALW represented on the Interim Youth Work Board at the Welsh Government, were discussed; our strategic level representation on such

matters, through colleague Rachel Burton, already provided a solid foundation. Also spoken about were Wales TUC Cymru's youth work activity, the relevance of the Wellbeing of Future Generations Act, local partner organisations active in the youth field, Welsh for Speakers of Other Languages, and the fact that the new compulsory nature of Religious Education and Personal and Social Education (PSE) in schools might have an impact on our work.

The national FE pay (cost of living) settlement of 2.75% had been approved nationally by the trade unions, confirmed by ColegauCymru and recommended for implementation by the Resources Committee. **It was endorsed by the Council, other than for the two Senior Post Holders (Chief Executive and Company Secretary/Clerk) whose roles required separate approval from the Search Committee.**

## 5. Funding Proposals for 2020/21

A brief paper on this issue was tabled (and e-mailed to Bangor participants) by Mark Baines, based on revised financial information that had arrived from the Welsh Government a week earlier. Time was given for members to read it. It provided two options – that agreed in 2019 which formed the basis of the current AOC|ALW transitional 3 year budget, setting out a 25% growth in educational provision by the Organisation over those 3 years to 2021/22 (option 1); and the alternative revised Welsh Government offer – a 5.2% increase to the unit delivery rate for 2020/21, representing a reduction in delivery by an amount equivalent to £308,000 for the year, with consequent savings in delivery costs (option 2). The first was a higher risk option which contained the potential for clawback of funds if underachieved, while the latter saw a slower rate of growth over the three years. In both cases the trend would be for educational activity to increase though. A recommendation had been agreed by the Senior Management Team (SMT), whose preference was option 2: it still represented growth, carried less risk and allowed assimilation of ideas from the Business Development Strategy so as to expand more overall.

The Council was on the whole content with the recommendation, though it was considered imperfect to base an important decision on this short notice. Some members had considered the original 25% increase as ambitiously steep, and 16% as per option 2 was itself significant over 3 years but would impose less strain on staff. The view was that the Organisation should officially opt for the second option, while still aiming to exceed it unofficially. Any over-provision would then come at our own costs. **Approval was given for Option 2, which reduced planned delivery growth and entailed delivery cost savings. Mark Baines was asked to inform Welsh Government of the decision forthwith, as it was awaiting confirmation.**

## 6. Risk Register for January 2020

The question was asked whether risks were ever taken off the Register. The answer was in the affirmative, after consideration by the SMT, and any such removals or changes in risk levels between versions of the Register were referred to in the summary front sheet accompanying the detailed document.

In Toni Schiavone's view, Risk 6.1.1 (Welsh Language Standards conformity) had been attained and no longer needed to be included; whereas Risk 2.1.2 (inadequate Welsh language educational provision) should be reconsidered for placing at a potentially higher net rating than currently set. For David Elis-Williams, continuing non-use of the Tudor Bowen Jones endowment now that the Coleg Harlech site had been sold was a possible reputational risk. **It was agreed that SMT and the Audit Committee would between them consider whether these changes should be made to the succeeding version of the Register.**

## 7. Senior Management Team Key Performance Indicators (KPIs), 2019-20

This paper set out indicators for the current academic year. The SMT thought all were achievable, though there were some ambitious targets amongst them. It was asked if the figure on learner satisfaction rates (95%) would be based solely on the return of in-class forms, completed when tutors were present, as this could lead to questioning of the data's integrity. It was cited that other information backed up high satisfaction scores, such as learners' success rates and feedback from learner walks. The document's Progress column would be filled in time for its next review, at May's Council meeting.

## 8. Minutes of the Resources Committee meeting of 4 December 2019

The Council noted the minutes of the Committee's meeting, also held in Cardiff. The extensive minute 1 on investment and ethical investment policies showed that the latter in particular needed reviewing during 2020, and might be a suitable subject for AGM discussion. It was suggested that the degree of local (i.e. within Wales) sourcing and procurement was a related issue for consideration. Minute 8 referred to incomplete staff **diversity data records, and the Council confirmed the commitment that its members should undertake such a survey** 'pour encourager les autres'. Minute 9's recommendation (annual 2019-20 pay award) had already been acted upon earlier in the Council meeting. Two additional papers, with associated recommendations from the Committee meeting, were discussed:

**i) Final draft of the Annual Report and Financial Statements, 2018-19:** a question was raised on the audited accounts, regarding capital grants from the Welsh Government: it was a condition of such grants that all of the sum was expended on capital works/purchases, so there was no managerial overheads percentage amount included in the totals. Congratulations were in order for the fact that all 6 financial objectives had been achieved, but it was suggested that that meant more specific and challenging objectives were required for setting – either for the current or future years. It was agreed that positive reference should be made to co-opted members of Council's Committees and to the chairs of Regional Forums and Branch officers in the appropriate sections of the Report. **With those textual additions, the document was approved and passed on to the Annual General Meeting for final ratification.**

**ii) Utilisation of reserves, including on the Business Development Strategy report's options:** this came via initial scrutiny by the Resources Committee, after which certain spending options had been discarded, leaving a reduced list composed of a mixture of one-off and recurring financial commitments. The items with potential larger spends still needed more information and greater evaluation prior to decisions being taken on them at a subsequent Council meeting. For smaller items, the Council was asked to consider delegating authority for a decision on allocating up to £40,000 in this financial year (equivalent to the budgeted surplus for 2019/20) to the Resources Committee's March meeting. It was agreed to whittle down the options further. An additional (one-off) £25,000 for the marketing budget should be merged with the Strand 1 option from the Business Development Strategy report (developing direct learner sales and enrolment) to become one item with a combined, higher sum. Alternatively, that marketing budget addition should absorb the costs of the Coleg Harlech celebratory event and publication within its £25,000 total. The potential property purchase (£300,000) naturally formed part of the two options which emanated from the Business Development Strategy's report Strands 5/6 (creating a national centre of training for community professionals; and creating a work skills training academy), so should be added to them rather than be a stand-alone option. It was also considered appropriate to combine the scholarship fund intended to carry the Harlech name with the Coleg Harlech celebratory event and publication, to form one 'Harlech legacy' option.

**With those changes to the range of options, it was agreed to seek further evaluative information on each that remained for presentation to the Resources Committee in early March. The Committee would then make further recommendations to the Council meeting in mid-March. A maximum sum of £40,000 was also approved, separately, for the Resources Committee's decision in March on supporting a smaller item(s) amongst the options,** the Council being fully cognisant of the fact that there might ultimately be a smaller, or no, surplus for this financial year but still being supportive of the principle of utilising the reserves in such a way.

#### **9. Minutes of the Audit Committee meeting of 11 December 2019**

The Council noted the minutes, with the Committee's Chair highlighting the reassuring *in camera* meeting with the external and internal auditors, the staff well-being matter and the slightly revised risk management policy. The Council as a whole was pleased to receive such positive feedback from both sets of auditors on the controls in place and their effective implementation, as set out in the accompanying annual report from the Committee to the Welsh Government.

#### **10. Management Accounts for August–December 2019**

The information in the paper for the first five months of the financial year was noted, with nothing untoward to report. Most changes to the approved annual budget sums reflected equivalent amounts of money coming in and money going out. There was no problem to be acted upon regarding the list of aged debtors either.

#### **11. Feedback on the Council meeting**

Technological aspects of the meeting elicited many comments. The experiment of having one simultaneous interpreter with audio link at a second venue clearly needed greater testing to ensure its viability. The video conference link had worked well visually (as it customarily did) but additional noise interference heard at the secondary venue - purely because the majority of participants were at the main location - had proved considerable. The qualitative difference in this audio experience compared with smaller-scale Committee gatherings needed to be ironed out if the twin-site location pattern, in place for the forthcoming 3 Council meetings, was to continue in the longer term. Various Council members also underlined the importance of the all-Wales nature of the organisation and of maintaining the need for personal contact with other members and learners at single venues for such meetings on occasion.

#### **12. Confirmed Council and other related meeting dates for 2020**

- Thursday 12 March: Bangor / Cardiff
- AGM – Thursday 26 March: Merthyr Tydfil
- Wednesday 20 May: Cardiff / Bangor
- Awards Event and Conference – Thursday 25 June: venue tbc
- Thursday 23 July: Bangor / Cardiff

## ACTION POINTS

Reference	Minute name	Action agreed	Action by whom	Action by when
Minute 2	Matters arising from minutes of Open Business at the Council meeting of 26 November 2019	It was agreed that the lack of opportunity to undertake the Education and Training Foundation's course in a language other than English was a failing which should be fed back to it; and that the broader issue of mono-lingualism in Prevent materials in the FE sector in Wales should be raised with ColegauCymru.	KR / CH	March 2020
Minute 4	Chief Executive's Report, January 2020	The FE pay (cost of living) settlement of 2.75% was endorsed by the Council, other than for the two Senior Post Holders (Chief Executive and Company Secretary/Clerk) whose roles would require separate approval from the Search Committee.	KR / Adele Gatt / ST	February 2020
Minute 5	Funding Proposals for 2020/21	Approval was given for Option 2 (reduced planned delivery growth), and Mark Baines was asked to inform Welsh Government of the decision forthwith.	MB	January 2020
Minute 6	Risk Register for January 2020	It was agreed that SMT and the Audit Committee would between them consider whether specific changes suggested should be made to the succeeding version of the Register.	SMT / Audit Committee	March 2020
Minute 8	Minutes of the Resources Committee meeting of 4 December 2019	<p>The Council confirmed the commitment that its members should undertake a diversity survey.</p> <p>With minor textual additions, the Annual Report and Financial Statements 2018-19 document was approved and passed on to the Annual General Meeting for final ratification.</p> <p>With changes to the range of options, it was agreed to seek further evaluative information on each proposed use of reserves that remained for presentation to the Resources Committee in early March. The Committee would then make further recommendations to the Council meeting in mid-March. A maximum sum of £40,000 was also approved, separately, for the Resources Committee's decision in March on supporting a smaller item(s) amongst the options.</p>	<p>CH / ST</p> <p>MB / Adele Gatt / ST</p> <p>MB / Matthew Lloyd</p>	<p>May 2020</p> <p>March 2020</p> <p>March 2020</p>